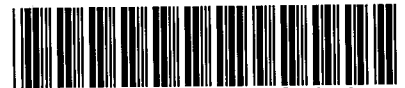


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BEFORE THE ARIZONA CORPORATION COMMISSION

RECEIVED

COMMISSIONERS

JEFF HATCH-MILLER – Chairman
WILLIAM A. MUNDELL
MARC SPITZER
MIKE GLEASON
KRISTIN K. MAYES

2006 APR 21 P 4: 36
AZ CORP COMMISSION
DOCUMENT CONTROL

LEVEL 3 COMMUNICATIONS, LLC

Complainant,

vs.

QWEST CORPORATION,

Respondent

) DOCKET NO. T-03654A-05-0415

) DOCKET NO. T-01051B-05-0415

**NOTICE OF WITHDRAWAL
OF FILING**

Level 3 Communications, LLC (“Level 3”), hereby responds to Qwest Corporation’s

(“Qwest”) April 19, 2006 email to the Administrative Law Judge (“ALJ”) in the above captioned matter. In the email, Qwest requested that the ALJ either strike Level 3’s Response to Qwest’s Notice of Fifth Filing of Supplemental Authority or conduct a telephonic procedural conference or issue a procedural order requesting supplemental briefs. Level 3 hereby agrees to withdraw its Response, thus obviating the need for the ALJ to strike the Response, conduct a procedural conference or order additional briefing.

Level 3 is concerned about further delaying a ruling in this docket. Delay is harmful for Level 3 in this matter because it has the potential to cost Level 3 revenue if the Recommended Opinion and Order (“ROO”) ruling is in Level 3’s favor. Level 3 is hopeful that a proposed order will issue in this docket soon, particularly because of the very recent ROO in *Pac-West v. Qwest*, Docket Nos. T-01051B-05-0495 and T-03693A-05-0495 (issued April 13, 2006), which proposes ruling against Qwest on the same legal issue presented in this docket.

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PHOENIX, ARIZONA 85004
TELEPHONE NO 602-256-6100
FACSIMILE 602-256-6800

1 WHEREFORE, Level 3 formally withdraws its Response to Qwest's Notice of Fifth Filing
2 of Supplemental Authority and respectfully requests that Qwest's email request for a procedural
3 conference and further briefing be denied.

4
5 RESPECTFULLY SUBMITTED this 21st day of April 2006.

6 LEVEL COMMUNICATIONS, LLC

7
8
9 By



Michael W. Patten
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13 and

14 Rick Thayer
15 Level 3 Communications, LLC
16 1025 Eldorado Boulevard
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18 Attorneys for Level 3 Communications, LLC
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- 1 Original and 15 copies of the foregoing
2 filed this 2nd day of April 2006 with:
- 3 Docket Control
4 Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007
- 5 Copy of the foregoing hand-delivered/mailed
6 this 2nd day of April 2006 to:
- 7 Jane Rodda, Esq
8 Administrative Law Judge
9 Hearing Division
Arizona Corporation Commission
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